

The Honorable Thomas S. Zilly

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

KYANN FLINT

No. 2:17-CV-00770

Plaintiff.

V

ALOHA POKE FAIRHAVEN, LLC,

**PLAINTIFF'S RESPONSE TO
ORDER TO SHOW CAUSE**

Defendant.

Comes Now Plaintiff, Kyann Flint, by and through undersigned counsel and in response to the Show Cause Order entered on December 21, 2017, states as follows:

1. This is a claim brought pursuant to Title III of the Americans with Disabilities Act seeking removal of alleged barriers to access at a restaurant in Bellingham, Washington.

2. The parties failed to timely submit their Joint Status Report by December 11, 2017 and as a result thereof, this Court entered an order requiring the parties show

JOINT RESPONSE TO ORDER TO SHOW CAUSE

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cause,

3. The parties have been involved in good faith settlement negotiations and have reached an agreement in principle that has been circulated between the parties to this case for execution (as well as between third parties not party to this case but whose cooperation was necessary to the settlement).

4. The parties anticipate being in a position to stipulate to the dismissal of this action in the near future.

5. The parties apologize for failing to notify the court of the impending settlement sooner and have no objection to the entry of a 60-day dismissal order in light of the posture of this case and anticipated consummation of the settlement agreement executed by the parties.

Respectfully submitted,

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